



DATE OF MEETING: February 13, 2024
TO: Galiano Island Local Trust Committee
FROM: Kim Stockdill, Island Planner
Southern Team
COPY: Robert Kojima, Regional Planning Manager
Southern Team
SUBJECT: Bylaw Nos. 287 & 288 – Rezoning Application
Applicant: Judy Hayes
Location: 490 Gardner Road – PID: 001-416-987

RECOMMENDATION

1. That Galiano Island Local Trust Committee Bylaw No 287, cited as “Galiano Island Official Community Plan Bylaw No. 108, 1995, Amendment No. 2, 2022”, be adopted.
2. That Galiano Island Local Trust Committee Bylaw No 288, cited as “Galiano Island Land Use Bylaw No. 127, 1999, Amendment No. 2, 2022”, be adopted.

REPORT SUMMARY

The property owner is seeking to rezone and re-designate a portion of the 13.4 hectare (33.2 acre) subject property from Rural Residential (RR) to Agriculture (AG) to enable the subdivision of the property to create one additional residential lot. The proposed bylaws would amend the Galiano Island Land Use Bylaw (LUB) No. 127, 1999 and the Galiano Island Official Community Plan (OCP) No. 108, 1995 by rezoning and re-designating a portion of the subject property from Rural Residential (RR) to Agriculture (AG) in order to facilitate the subdivision.

Previous reports and background can be found here: <https://islandstrust.bc.ca/island-planning/galiano/current-applications/>

BACKGROUND

At the December 5, 2022 regular meeting the Galiano Island Local Trust Committee (LTC) directed staff to proceed with the application and to prepare draft bylaws. The LTC gave first reading of proposed Bylaw Nos. 287 and 288 on April 11, 2023. A Community Information Meeting and Public Hearing were held on November 14, 2023. Following the completion of the public hearing, the LTC gave proposed Bylaw Nos. 287 and 288 second and third reading at the November 14, 2023 meeting.

The LTC considered and determined that proposed Bylaw Nos. 287 and 288 are not contrary to or at variance with the Islands Trust Policy Statement on April 11, 2023. The Islands Trust Executive Committee approved the bylaws on December 5, 2023 and the Minister approved Bylaw No. 287 on January 29, 2024.

\\islandstrust.local\DFSMain\EDM\09 Current Planning\04 GL\3650 RZ\25 Applications (P)\2022\GL-RZ-2022.2 (Hayes)\06 Staff Reports\2024-02-13_GL-RZ-2022.2 (Hayes)_Bylaw Adoption Staff Report.docx

Rationale for Recommendation

Based on the foregoing, the recommendations on page 1 are supported as:

- The proposed bylaws have been determined to be consistent with the Islands Trust Policy Statement by the LTC
- First Nation referrals were completed and no concerns were raised
- Agency referrals were completed and no concerns were raised
- Executive Committee and the Minister have approved the bylaw(s)

ALTERNATIVES

The LTC may consider the following alternatives to the staff recommendation:

1. Deny the application

The LTC may deny the application. Recommended wording for the resolution is as follows:

That the Galiano Island Local Trust Committee proceed no further with application GL-RZ-2022.2 (Hayes).

2. Hold the application in abeyance

The LTC may choose to hold the application in abeyance.

3. Receive for information

The LTC may receive the report for information

NEXT STEPS

If the LTC adopts the bylaws, staff will consolidate the amendments into the base bylaws.

Submitted By:	Kim Stockdill, Island Planner	February 6, 2024
Concurrence:	Robert Kojima, Regional Planning Manager	February 6, 2024

ATTACHMENTS

1. Proposed Bylaw No. 287
2. Proposed Bylaw No. 288

PROPOSED

GALIANO ISLAND LOCAL TRUST COMMITTEE BYLAW NO. 287

A BYLAW TO AMEND GALIANO ISLAND OFFICIAL COMMUNITY PLAN BYLAW NO. 108, 1995

The Galiano Island Local Trust Committee in open meeting assembled enacts as follows:

1. CITATION

This Bylaw may be cited for all purposes as “Galiano Island Official Community Plan Bylaw No. 108, 1995, Amendment No. 2, 2022”.

2. SCHEDULES

Galiano Island Official Community Plan No. 108, 1995 is amended as shown on Schedule 1, attached to and forming part of this bylaw.

3. SEVERABILITY

If any provision of this Bylaw is for any reason held to be invalid by a decision of any Court of competent jurisdiction, the invalid provision must be severed from the Bylaw and the decision that such provision is invalid must not affect the validity of the remaining provisions of the Bylaw.

READ A FIRST TIME THIS	11 TH	DAY OF	APRIL	2023.
PUBLIC HEARING HELD THIS	14 TH	DAY OF	NOVEMBER	2023.
READ A SECOND TIME THIS	14 TH	DAY OF	NOVEMBER	2023.
READ A THIRD TIME THIS	14 TH	DAY OF	NOVEMBER	2023.
APPROVED BY THE EXECUTIVE COMMITTEE OF THE ISLANDS TRUST THIS	5 TH	DAY OF	DECEMBER	2023.
APPROVED BY THE MINISTER MUNICIPAL AFFAIRS THIS	29 TH	DAY OF	JANUARY	2024.
ADOPTED THIS	_____	DAY OF	_____	20____

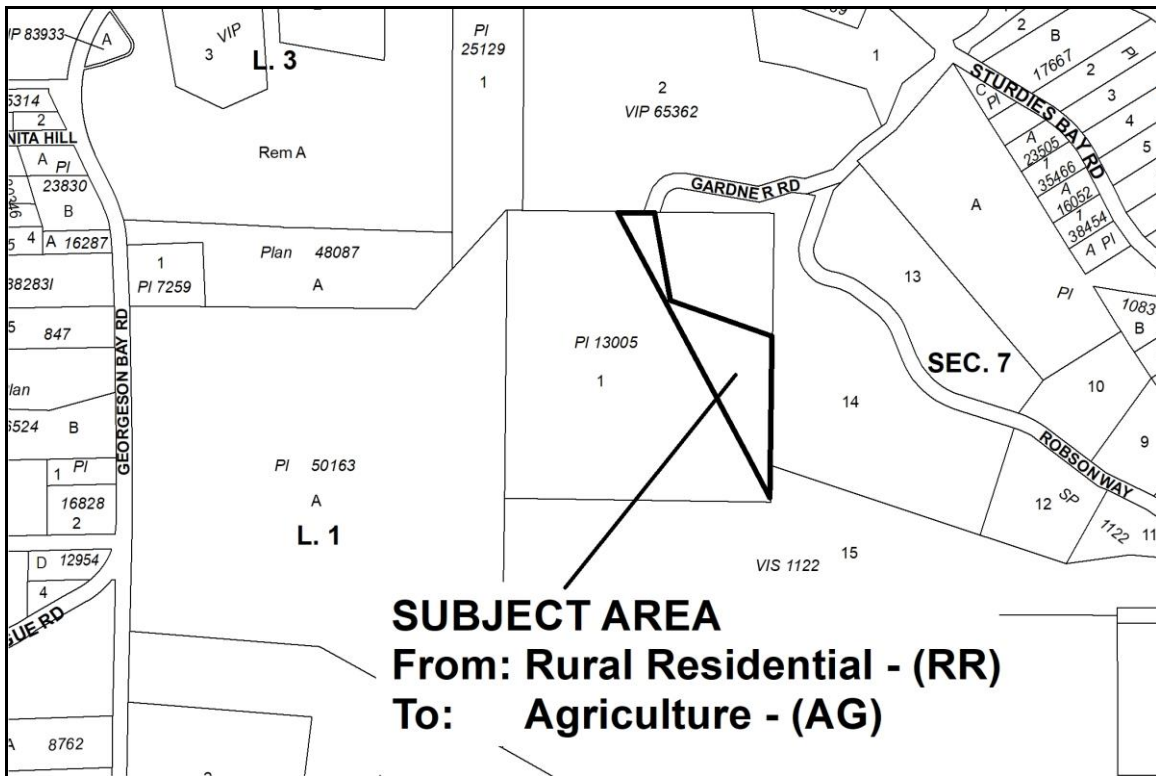
CHAIR

SECRETARY

GALIANO ISLAND LOCAL TRUST COMMITTEE
BYLAW NO. 287

SCHEDULE 1

The Galiano Island Official Community Plan No. 108, 1995, is amended as follows:



PROPOSED

GALIANO ISLAND LOCAL TRUST COMMITTEE BYLAW NO. 288

A BYLAW TO AMEND GALIANO ISLAND LAND USE BYLAW NO. 127, 1999

The Galiano Island Local Trust Committee, being the Local Trust Committee having jurisdiction in respect of the Galiano Island Local Trust Area under the *Islands Trust Act*, enacts as follows:

1. Citation

This bylaw may be cited for all purposes as “Galiano Island Land Use Bylaw No. 127, 1999, Amendment No. 2, 2022”.

2. Galiano Island Local Trust Committee Bylaw No. 127, cited as “Galiano Island Land Use Bylaw No. 127, 1999,” is amended as follows:

2.1 Schedule “1” – Zoning Map, is amended by changing the zoning classification of a portion of Lot 1, District Lots 1 and 3 and of Section 7, Galiano Island, Cowichan District, Plan 13005 except all of District Lots 1 and 3 now included in Plan 50163 from Rural Residential (RR) to Agriculture (AG), as shown on Plan No. 1 attached to and forming part of this bylaw, and by making such alterations to Schedule “1” to Bylaw No. 127 as are required to effect this change.

3. SEVERABILITY

If any provision of this Bylaw is for any reason held to be invalid by a decision of any Court of competent jurisdiction, the invalid provision must be severed from the Bylaw and the decision that such provision is invalid must not affect the validity of the remaining provisions of the Bylaw.

READ A FIRST TIME THIS	11 TH	DAY OF	APRIL	2023.
PUBLIC HEARING HELD THIS	14 TH	DAY OF	NOVMEBER	2023.
READ A SECOND TIME THIS	14 TH	DAY OF	NOVEMBER	2023.
READ A THIRD TIME THIS	14 TH	DAY OF	NOVEMBER	2023.
APPROVED BY THE EXECUTIVE COMMITTEE OF THE ISLANDS TRUST THIS	5 TH	DAY OF	DECEMBER	2023.
ADOPTED THIS	_____	DAY OF	_____	20____

CHAIR

SECRETARY

GALIANO ISLAND LOCAL TRUST COMMITTEE
BYLAW NO. 288

Plan No. 1

